THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 13955 OF 2006

BETWEEN:

Vasundara Agencies, rep. by its sole proprietor, K.Srinivasa Rao
…Petitioner

vs.

Chief Regional Manager, Hindustan Petroleum Corporation Ltd., Vijayawada and others
…Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 13955 OF 2006

ORAL ORDER

The writ petition is misconceived. The petitioner has established a petrol bunk in Sy.No.299/3/C adjoining the Markapur-Cumbum road. The petitioner is a franchisee of the Essar Oil Company Limited. The 5th respondent applied for an agency for establishment of a petrol bunk to the Hindustan Petroleum Corporation Limited. The premises selected by the 5th respondent for establishment of the petrol bunk is immediately adjacent to the premises of the petitioner. As the establishment of the petrol bunk by the 5th respondent in the premises adjacent to the petitioner would adversely impact the economic health of the petitioner, the petitioner has filed this writ petition. No legal principle is either pleaded or established before this Court whereunder the 5th respondent is disabled or the 1st respondent is disentitled to permit the establishment of a petrol bunk in a premises adjacent to the petitioner. Existence of a legal right in the petitioner or a legal disability in the respondent is the only legitimate foundation for grant of mandamus. None of these circumstances exist in the writ petition. The petitioner

states that the establishment of a petrol bunk by the 5th respondent will result in widespread damage to the neighbouring residential colonies and result in pollution and traffic congestion. The petitioner's petroleum outlet would have a similar impact. This objection is therefore unjustified.

The writ petition is misconceived and is accordingly dismissed at the stage of admission. No order as to costs.

GODA RAGHURAM,J

11th JULY 2006
*TSNR